

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
MISC. CIV. ACTION NO. 23-MC-5**

IN RE APPLICATION OF CAMERON
FINDLAY FOR AN ORDER UNDER
28 U.S.C. § 1782 TO CONDUCT
DISCOVERY FOR USE IN FOREIGN
PROCEEDINGS

**DECLARATION OF BRANDON S.
NEUMAN**

I, **Brandon S. Neuman**, do hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 the following:

1. I am a partner of the law firm Nelson Mullins Riley & Scarborough LLP, 301 Hillsborough St., Suite 1400, Raleigh, North Carolina 27603. I am a member in good standing of the Bars of the State of North Carolina, the State of California, and this Court. Nelson Mullins Riley & Scarborough LLP is counsel to Nicholas Del Rosso (“Del Rosso”) and Vital Management Services, Inc. (“VMS”), the named witnesses from whom Cameron Findlay (“Findlay”) seeks discovery through his application pursuant to 28 U.S.C. § 1782.

2. I am over the age of eighteen and am competent to testify as to the matters set forth in this Declaration.

3. I attach hereto the following exhibits, some of which have already been filed in separate actions pending in this Court, including *Azima v. Del Rosso, et al.*, No. 20-cv-954 (M.D.N.C.) (the “Azima Action”), and *In re Application of Al Sadeq, et al.*, No. 21-mc-6 (M.D.N.C.) (the “Al Sadeq/Stokoe Matter”).

4. I attach hereto as **Exhibit 1** a true and accurate copy of the May 16, 2022 Judgment from the High Court of Justice of England and Wales in the matter *Eurasian Natural Resources Corp. Ltd. v. Dechert LLP, et al.* [2022] EWHC 1138 (Comm).

5. I attach hereto as **Exhibit 2** a true and correct copy of the First Declaration of Vikash Pandey, executed October 22, 2020, with exhibits, previously filed in the Azima Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-7 (M.D.N.C. Feb. 9, 2023).

6. I attach hereto as **Exhibit 3** a true and correct copy of the Second Declaration of Vikash Pandey with exhibits, executed March 25, 2021, previously submitted in the Azima Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-6 (M.D.N.C. Feb. 9, 2023).

7. I attach hereto as **Exhibit 4** a true and correct copy of the Second Declaration of Nicholas Del Rosso, executed February 9, 2023, with exhibits, previously submitted in the Azima Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-8 (M.D.N.C. Feb. 9, 2023).

8. I attach hereto as **Exhibit 5** a true and accurate copy of an October 13, 2020 email/attached letter received by Del Rosso from Farhad Azima's lawyers at Miller & Chevalier.

9. I attach hereto as **Exhibit 6** a true and accurate copy of an article by Law360, written by Christopher Crosby, titled "ENRC Behind Hacking and Torture Suits, Ex-Dechert Pro Says." This article is publicly available at: <https://www.law360.com/articles/1582279/enrc-behind-hacking-and-torture-suits-ex-dechert-atty-says>, and was last visited by the undersigned as of May 29, 2023.

10. I attach hereto as **Exhibit 7** an uncertified copy of WhatsApp messages obtained from Indian police evidencing Kotak Mahindra Bank employees' unauthorized leak of CyberRoot Risk Advisory Private Ltd.'s ("CyberRoot") bank statements, previously filed in the Azima Action on February 10, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 160 (M.D.N.C. Feb. 10, 2023). Exhibit 7 was filed provisionally under seal in the Azima Action, and is similarly being provisionally filed under seal in this matter.

11. I attach hereto as **Exhibit 8** a true and correct copy of an "Action Taken Report" from the Indian police regarding the unauthorized leak of CyberRoot Risk Advisory Private Ltd.'s ("CyberRoot") bank statements from Kotak Mahindra Bank, dated July 12, 2021, previously filed in the Azima

Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-3 (M.D.N.C. Feb. 9, 2023).

12. I attach hereto as **Exhibit 9** a true and correct copy of a complaint submitted to the commissioner of the Indian police regarding the unauthorized leak of CyberRoot's bank statements from Kotak Mahindra Bank, dated June 16, 2021, previously filed in the Azima Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-4 (M.D.N.C. Feb. 9, 2023).

13. I attach hereto as **Exhibit 10** a true and correct copy of a "First Information Report" regarding the unauthorized leak of CyberRoot's bank statements from Kotak Mahindra Bank, dated March 29, 2022, previously filed in the Azima Action on February 9, 2023. *See Azima v. Del Rosso, et al.*, No. 20-cv-954, at D.E. 159-5 (M.D.N.C. Feb. 9, 2023).

14. I attach hereto as **Exhibit 11** a true and accurate copy of the Declaration of Nicholas Del Rosso and exhibits A and B thereto, previously filed in the Stokoe Al Sadeq/Stokoe Matter on May 12, 2023. *See In re Application of Al Sadeq, et al.*, No. 21-mc-6, at D.E. 27 (M.D.N.C. May 12, 2023).

15. I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746.

Executed on May 29, 2023 in Raleigh, North Carolina.



Brandon S. Neuman